



**Austin City Council
MINUTES**

**Special Called Meeting
September 13 1999**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed.

The City Council of Austin, Texas, convened in a regular meeting on Monday, September 13, 1999 at City Council Chambers, 307 West Second Street, for the following purposes:

Mayor Watson called the meeting to order at 9:00 a.m. with all Council Members present.

1. Approve an ordinance adopting the Operating Budget for the fiscal year beginning October 1, 1999 and terminating September 30, 2000, and making appropriations for each department, project, and account, including the errata.

The amendment to increase the 1999-2000 beginning balance to reflect an increase in the 1998-99 ending balance in the amount of \$4,857,241 was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 7-0 vote.

The following amendments were made to the General Fund based on the City Council's Social Equity Initiative:

The motion to decrease the Neighborhood Services Initiative line item by \$3,000,000 to allocate funding for the Social Equity Initiative was approved on Council Member Griffith's motion, Council Member Spelman's second on a 7-0 vote.

The motion to increase the General Fund transfer to Employee Benefits Fund by \$30,000 for a childcare consultant was approved on Council Member Griffith's motion, Council Member Slusher's second on a 7-0 vote.

The motion to increase the General Fund transfer to Employee Benefits Fund by \$470,000 for a childcare pilot program was approved on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote.

The motion to increase Health and Human Service social services contracts by \$254,321 for a childcare mobile unit was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second on a 7-0 vote.

The motion to increase Health and Human Service social services contracts by \$50,000 for the business initiative childcare support was approved on Mayor Pro Tem Goodman's motion, Council Member Lewis' second on a 7-0 vote.

The motion to increase the Health and Human Services social services contract to provide a mentor teacher program in the amount of \$90,000 was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second on a 7-0 vote.

The motion to increase the General Fund transfers out by \$1,000,000 to a new fund called the Housing Trust Fund was approved by Council Member Spelman's motion, Mayor Watson's second on a 7-0 vote.

The motion to add 1 new FTE position and \$51,773 to Development Review and Inspection for Neighborhood Code enforcement was approved on Council Member Lewis' motion, Council Member Garcia's second on a 7-0 vote.

The motion to increase the General Fund transfer out to Support Services by \$300,000 and add 3.0 new FTE positions for Management Services Neighborhood Capacity Building and Neighborhood Academy was approved on Council Member Spelman's motion, Council Member Garcia's second on a 7-0 vote.

The motion to increase the General Fund transfer to Support Services by \$250,000 for Management Services' Neighborhood Office, and add five new FTEs, was approved on Council Member Spelman's motion, Council Member Garcia's second on a 7-0 vote.

The motion to add one new FTE at the Library Department's Austin History Center and \$45,000 for the Austin African American Culture Initiative was approved on Council Member Lewis' motion, Council Member Garcia's second on a 7-0 vote.

The motion to add 8.0 new FTEs and \$460,659 for Roving Leaders to the Parks and Recreation budget was approved on Council Member Garcia's motion, Council Member Griffith's second on a 7-0 vote.

The motion to add \$305,000 and 6 new FTEs to Parks and Recreation for the Barbara Jordan After-School Program was approved on Council Member Lewis' motion, Council Member Garcia's second on a 7-0 vote.

The motion to increase Health and Human Services social services contracts by \$100,000 for the Workforce Development Clearinghouse was approved on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote.

The motion to increase Health and Human Services social services contracts by \$500,000 for Workforce Development was approved on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote

The motion to increase Health and Human Service social services contracts by \$45,000 for the Telecommunity Partnership was approved on Council Member Slusher's motion, Council Member Garcia's second on a 7-0 vote.

The motion to increase the General Fund transfer to Austin Energy by \$100,000 for Economic Development with Minority Chambers of Commerce was approved on Council Member Garcia's motion, Council Member Lewis' second on a 7-0 vote.

A motion to recess the Council meeting at 10:27 a.m. was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second on a 7-0 vote.

Mayor Watson called the meeting back to order at 11:00 a.m.

The following amendments to other funds were made to support the City Council's Social Equity Initiative:

The motion to create transfers from Aviation and Water and Wastewater to Austin Energy by \$133,333 each for Economic Development with Minority Chambers of Commerce as part of the Social Equity Initiative was approved on Council Member Garcia's motion, Council Member Lewis' second on a 7-0 vote.

The motion to establish a collateral pool for bonding by appropriating \$190,000 in the Leveraged Loan Pool Fund from the fund balance was approved on Council Member Spelman's motion, Mayor Watson's second on a 7-0 vote.

The following amendments were made to the General Fund to support the City Council's Transportation Initiative:

The motion to decrease the Transportation Initiative item by \$4.0 million and increase the General Fund transfer to the CIP by \$5 million for intersection improvements was approved on Council Member Spelman's motion, Mayor Watson's second on a 5-2 vote. Council Members Griffith and Slusher voted no.

The motion to decrease the transfer to the Vehicle Acquisition Fund by \$670,000 was approved on Council Member Spelman's motion, Mayor Watson's second on a 7-0 vote.

The following amendments were made to the General Fund revenue and expenses:

The motion to restore the DWI Instructor (1 FTE) and \$71,129 in the Emergency Medical Services Department to provide public education was approved on Council Member Lewis' motion, Council Member Garcia's second on a 7-0 vote.

The motion to reduce the Health and Human Services revenue associated with the Town Lake Animal Shelter for reductions in impound fees in the amount of \$55,980 was approved on Council Member Slusher's motion, Council Member Spelman's second on a 7-0 vote.

The motion to add 11 FTE positions and \$325,000 to the Library Department for a library technology grant match was approved on Council Member Garcia's motion, Mayor Watson's second on a 7-0 vote.

The motion to add \$500,000 to Municipal Court for the Community Court Detox Treatment Program as part of the Community Court process was approved on Council Member Garcia's motion, Council Member Spelman's second on a 7-0 vote.

The motion to add 3 FTE positions to the Parks and Recreation Department that were omitted from the proposed budget for the SPLASH Exhibit was approved on Council Member Griffith's motion, Council Member Garcia's second on a 7-0 vote.

The motion to add one FTE and \$87,436 to the Parks and Recreation Department for a parks supervisory position was approved on Council Member Garcia's motion, Council Member Lewis' second on a 7-0 vote.

The motion to add 3 FTEs, 2 sworn and 1 civilian, and \$40,634 to the Police Department for a mental health unit with additional funding coming from a grant was approved on Council Member Spelman's motion, Mayor Watson's second on a 7-0 vote.

The motion to increase the General Fund transfer to Support Services by \$35,000 for the Office of the City Auditor for office space planning was approved on Council Member Garcia's motion, Council Member Slusher's second on a 7-0 vote.

The motion to increase the General Fund transfer to Support Services by \$47,000 to add one new FTE in the Office of the City Auditor for quick response and assistance was approved on Council Member Slusher's motion, Council Member Lewis' second on a 7-0 vote.

The motion to increase the General Fund transfer to Support Services by \$26,200 for the City Clerk's Office for Police Oversight Committee assistance was approved on Council Member Spelman's motion, Council Member Griffith's second on a 7-0 vote.

The motion to increase the General Fund transfer to Support Services by \$46,778 for the Law Department and add one FTE for Community Court Prosecutor was approved on Council Member Garcia's motion, Mayor Watson's second on a 7-0 vote.

The motion to increase the General Fund transfer to Support Services by \$71,316 for the Mayor and Council for support was approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

The motion to increase the General Fund transfer to Support Services by \$100,000 for FSD/Telecommunications and Regulatory Affairs for a multimedia project was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second on a 7-0 vote.

The motion to increase the General Fund transfer to the Great Streets Fund by \$167,274 for a total transfer of \$314,274 was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 7-0 vote.

The motion to increase the General Fund transfer to the CIP by \$250,000 for the Harris Branch developer reimburseable for Austin MUDs 1, 2, and 3 was approved on Mayor Pro Tem Goodman's motion, Mayor Watson's second on a 7-0 vote.

The motion to increase the General Fund transfer to Planning Environmental & Conservation Services Department by \$100,000 for neighborhood planning for special projects was approved on Mayor Pro Tem Goodman's motion, Council Member Griffith's second on a 7-0 vote.

The motion to increase the General Fund transfer to the Strategic Planning and Investment Fund by \$468,000 for outside legal counsel was approved on Council Member Spelman's motion, Council Member Slusher's second on a 7-0 vote.

The motion to increase the General Fund transfer to the Balcones Canyonlands Conservation Plan Fund by \$72,000 for BCP land management, for a total transfer of \$160,000 was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 7-0 vote.

The motion to increase the General Fund Other Requirements by \$740,000 for Mexic-Arte museum acquisition was approved on Council Member Garcia's motion, Council Member Spelman's second on 7-0 vote.

The motion to increase the General Fund transfer to the General Fund Contingency Reserve Fund by \$271,741 in accordance with financial policies was approved on Council Member Garcia's motion, Council Member Slusher's second on a 7-0 vote.

All of the following items were acted on by one motion. No separate discussion or action occurred. The items were approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

- Amend Other Fund Expenditure's authorized positions to reflect transfers approved previously in amendments to the General Fund and the Social Equity amendments.**
- Amend the Support Services Fund by increasing the budget of the Human Resources Department by \$13,000 to continue the capital outlay investment with ADAPT and \$100,000 for a job evaluation study and decreasing the ending fund balance.**
- Amend the Support Services Fund by decreasing the transfer for the Cultural Arts Fund by \$100,000 for the Austin Music Network and decreasing the ending fund balance by \$100,000.**
- Amend the Support Services Fund by increasing the budget of the Mayor and Council by \$32,310 and decreasing the ending fund balance. Council Member Spelman abstained on this vote.**
- Amend the Support Services Fund by increasing the budget of the City Clerk's Office by \$5,000 to fund reception area furniture and decreasing the ending fund balance accordingly.**
- Amend the Support Service Fund by increasing the Enterprise Revenue by \$100,000 (\$50,000 from Austin Energy, \$50,000 from Water and Wastewater Utility) and increasing the budget for Financial Services Department's Administration line for a Consumer Rate Advocate FTE position.**

There was a friendly amendment by Council Member Spelman to amend the Support Services Fund by increasing the Enterprise Revenue by \$125,000 (\$62,500

from Austin Energy and \$62,500 from the Water and Wastewater Utility) and increasing the budget of the City Auditor for a Consumer Rate Analyst position. Council Member Griffith seconded it; but, after further discussion, the following friendly amendment was substituted.

There was a friendly amendment by Council Member Griffith to amend the Support Services Fund by increasing the Enterprise Revenue by \$100,000 (\$50,000 from Austin Energy and \$50,000 from the Water and Wastewater Utility) and increasing the budget for Financial Services Department's Administration for a contract for a consumer rate analyst.

- Amend the Capital Projects Management Fund by increasing the CIP Enterprise Project Revenue by \$37,424 and increasing expenses by \$37,424 in the Leasing and Property Management Program to add 1.0 FTE position as real estate support.
- Amend the Planning Environmental & Conservation Services Department Fund by adding 2.0 additional FTEs for Neighborhood Planning.
- Amend the Health and Human Services Disproportionate Share Fund by decreasing the revenue from the Disproportionate Share Proceeds by \$633,850 and decreasing the following: Primary Care Support by \$138,850, Support Services Facilities by \$120,000, Support Services Information Technology by \$175,000, and transfers to the CIP by \$200,000.
- Amend the Hospital Fund by increasing requirements for the renovations of Brackenridge Hospital Fifth Floor by \$244,190 and funding a Gastroenterology Specialty Clinic in the amount of \$72,114 and reducing the ending balance by \$316,304.
- Amend the Federally Qualified Health Clinic (FQHC) Fund by restoring 4.5 FTEs in the South Austin Dental Clinic for six months at \$90,000, restoring a dental assistant FTE for \$27,971, eliminating one FTE, a vacant administrative assistant position for \$27,971, restoring 0.5 physician FTE for \$65,925, increasing vacancy savings by \$65,925 and decreasing the ending fund balance by \$90,000.
- Amend the Radio Fund by reappropriating \$26,200 in 1998-99 savings to pay for radio test equipment.
- Amend the Child Safety Fund by reappropriating \$123,803 in 1998-99 savings to pay for school infrastructure improvements and sidewalks.
- Amend the Transportation Fund by reappropriating \$1,095,000 in 1998-99 savings to pay for overlay contracts and \$350,000 in 1998-99 savings for sealcoat contracts.
- Amend the Water and Wastewater Utility Fund by reappropriating \$50,000 in 1998-99 savings to pay for a fleet utilization study.

The motion to amend the Special Revenue Fund for the Health and Human Services Department by adding \$8,000 to the Southeast Austin Community Youth Development Grant, for a total budget of \$533,000, was approved on Council Member Garcia's motion, Council Member Griffith's second on a 7-0 vote.

The motion to amend the Cultural Arts Funds to eliminate the \$100,000 transfer to Support Services and increase the appropriations for contracts with cultural agencies

by \$236,383 (in accordance with the list attached to Resolution No. 990913-9) for total cultural contracts of \$3,048,057, and to reduce the fund balance to \$277,961 was approved on Council Member Garcia's motion, Council Member Lewis' second on a 7-0 vote.

The motion to approve first and second readings of the ordinance as amended above was approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

A motion to recess the Council Meeting at 12:45 p.m. was approved on Council Member Griffith's motion, Council Member Garcia's second on a 7-0 vote.

Mayor Watson called the meeting back to order at 1:30 p.m.

2. Approve an ordinance adopting the Capital Budget for the fiscal year beginning October 1, 1999 and terminating September 30, 2000 and making appropriations for each project and account, including the errata.

The motion to delete the new appropriations for the emergency generators in the Health and Human Services' budget in the amount of \$200,000 was approved on Council Member Garcia's motion, Council Member Slusher's second on a 6-0 vote. Council Member Spelman was off the dais.

The motion to appropriate an additional \$1,000,000 to the new Transportation Initiative account in the Public Works and Transportation budget, with funding from FY2000 General Fund Transfer, for intersection improvements was approved on Council Member Lewis' motion, Mayor Watson's second on a 7-0 vote.

The motion to appropriate \$2,740,000 to the CMTA Railroad Crossings project in the Public Works and Transportation budget, with funding from Capital Metropolitan Transit Authority, for railroad crossing improvements at various locations was approved on Mayor Pro Tem Goodman's motion, Council Member Garcia's second on a 7-0 vote.

The motion to appropriate \$2,000,000 for the East William Cannon project in the Public Works and Transportation budget, with funding from Travis County, for the construction of a bridge over Onion Creek, was approved on Council Member Garcia's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

The motion to appropriate an additional \$130,000 to the Build Austin Program Streets project for a total new appropriation in the Public Works and Transportation budget of \$4,174,771, with funding from the Capital Metropolitan Transit Authority, for intersection radius improvements, was approved on Council Member Garcia's motion, Council Member Griffith's second on a 7-0 vote.

The motion to approve the reallocation of \$120,395 from the Build Austin Program Streets FY95 project to Build Austin Program Streets FY99 project in the Public Works budget was approved on Council Member Lewis' motion, Council Member Griffith's second on a 7-0 vote.

The motion to appropriate \$415,397 to the Developer Drainage Reimbursement in Annexed Areas project in the Watershed Protection budget, with funding of \$165,397 from the Municipal Utility District (MUD) cash balances and \$250,000 from an increase in the General Fund Transfer to the CIP, to provide developer reimbursements for the former Austin MUD's 1, 2, 3 and Circle C MUD No. 2 was approved on Council Member Lewis' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

The motion to appropriate \$151,199 to the Pulte Water Reimbursement Account and \$113,511 to the Pulte Wastewater Reimbursement account in the Water and Wastewater budget from Commercial paper for former Circle C MUD Number 2 was approved on Council Member Spelman's motion, Council Member Lewis' second on a 7-0 vote.

Ordinance No. 990913-2 was approved on all three readings with the amendments shown above on Council Member Garcia's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

3. Approve an ordinance fixing and levying municipal Ad Valorem taxes for the City of Austin, Texas for the fiscal year 1999-2000, and for each year thereafter until otherwise provided; directing the assessment and collection of those taxes; approving property tax exemptions for agriculture, historic property, persons with disabilities, and elderly persons; and validating all prior Ad Valorem taxes.

The motion to approve the first and second readings with a tax rate of \$0.5034 per \$100 assessed valuation was approved on Council Member Garcia's motion, Council Member Lewis' second on a 7-0 vote.

4. Approve an ordinance authorizing fees, fines, and other charges for City of Austin services and use of City of Austin facilities.

These fees were considered by Council previously as follows: on August 5, 1999 a Water and Wastewater Capital Recovery Fee for Smart Growth; August 26, 1999 a Public Works and Transportation Street Damage Recovery Fee; September 2, 1999 a Municipal Court Technology Fee. The ordinance was amended to include these fees and the actions shown below:

The motion to reduce the Police Resident Alarm permit fee from \$25.00 to \$20.00 was made by Council Member Lewis and seconded by Mayor Pro Tem Goodman. Later the motion was tabled by Mayor Pro Tem Goodman. The motion to table was approved on a 7-0 vote.

The motion to change Development Review and Inspection's fees for subdivisions, zoning, site plan and processing management to reflect Council direction on Smart Growth incentives as attached was approved on Council Member Garcia's motion, Council Member Spelman's second on a 7-0 vote.

The motion to change Watershed Protection's subdivision, zoning, site plan and processing management fees to reflect Council direction on Smart Growth incentives as attached was approved on Council Member Garcia's motion, Council Member Spelman's second on a 7-0 vote.

The motion for the Health and Human Services' fees in the Spay/Neuter Incentive Program to change the impoundment fee from \$35.00 to \$20.00 for fixed and \$55.00 for intact, to change the room/board fee from \$8.00 a day to \$5.00 a day, and for the registration delinquency fee to continue at \$10.00 was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

The motion to change the Water and Wastewater Utility Fees to delete the proposed increases for outside city and wholesale customers, including volume unit charges, and incorporate the post-annexation water and sewer rates for the former North Central Austin Growth Corridor MUD #1, former Maple Run at Austin MUD, former Southland Oaks MUD, and former Tanglewood Forest MUD as attached was approved on Council Member Lewis' motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

The motion to approve the ordinance as amended above, was approved on first and second readings on Council Member Spelman's motion, Council Member Lewis' second on a 7-0 vote.

5. Approve a resolution authorizing changes to the City Council resolution adopted in December 1996 which established guidelines and financial targets for enhancing the competitive position of Austin's Electric Utility, Austin Energy. (Resolution establishes guidelines for future utility operations.) (Recommended by Electric Utility Commission)

Resolution No. 990913-5 was approved with the friendly amendment shown below on Council Member Garcia's motion, Council Member Spelman's second on a 7-0 vote.

A friendly amendment was made by Council Member Griffith that was accepted by both the maker and Council Member Spelman as follows. After the first sentence, add, "The City will continue to reduce operating expenses of its electric utility as necessary to continue its successful operation of the Austin Electric Utility. The utility will operate at a cost per kilowatt-hour below the ERCOT average. Targets will be re-evaluated on a periodic basis."

6. Approve an ordinance adopting the Capital and Operating Budgets for Austin Energy for the fiscal year beginning October 1, 1999 and terminating September 30, 2000 and making appropriations for each project and account, including the errata.

Action was taken on the following amendments:

The motion to increase the ending balance by \$685,552 was approved on Council Member Garcia's motion, Council Member Spelman's second on a 7-0 vote. It will include the following adjustments: (a) increase service area base revenue by \$366,352; (b) decrease service area fuel revenue by \$3,008,200; (c) create transfers in from Aviation and Water and Wastewater Utility of \$133,333 each; (d) increase transfers in from the General Fund by \$100,000; (e) reduce the fuel expense by \$3,008,200; (f) decrease the administrative support transfer by \$502,533; (g) increase transfer to Support Service by \$50,000 for consumer rate advocacy; and (h) increase expenditures by \$500,000 for economic development with the Minority Chambers of Commerce.

The motion to allocate up to \$3.5 million over the next two years for a pilot program underground utility infrastructure implementation with three strategic starting points of Lamar and Sixth Streets, Comal at Plaza Saltillo, and Burnet at North Loop was approved on Mayor Pro Tem Goodman's motion, Council Member Slusher's second on a 4-3 vote. Mayor Watson and Council Members Garcia and Spelman voted no.

A motion to reconsider the amendment was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 7-0 vote.

The motion to allocate \$3.5 million over the next two years for the burying of lines underground, with Austin Energy establishing a criteria, to be approved by Council, for determining where those funds will be allocated, with the criteria to include but not limited to cost effectiveness, the existence of ongoing construction projects and the reliability of the system was approved on Council Member Slusher's motion, Mayor Pro Tem Goodman's second on a 4-3 vote. Mayor Watson and Council Members Garcia and Spelman voted no.

The motion to increase transfers out to the Conservation Rebates and Incentives fund by \$1,000,000 (\$400,000 for the residential rebate and \$600,000 to the commercial rebate) was approved on Mayor Pro Tem Goodman's motion, Council Member Lewis' second on a 7-0 vote. (See final action on 9/14/99)

The motion to approve first and second readings of the Ordinance as amended above was approved on Council Member Garcia's motion, Council Member Spelman's second on a 7-0 vote.

7. Approve an ordinance providing for the classification of and number of positions in each classification in the classified Civil Service of the Police Department.

The motion to increase the number of police officers by 2, for a total of 773 police officers, was approved on Council Member Spelman's motion, Council Member Garcia's second on a 7-0 vote.

Ordinance No. 990913-7 was approved on all three readings with the amendment above on Mayor Pro Tem Goodman's motion, Mayor Watson's second on a 7-0 vote.

8. Approve an ordinance providing for the classification of and number of positions, in each classification in the classified Civil Service of the Fire Department.

Ordinance No. 990913-8 was approved on all three readings on Council Member Griffith's motion, Council Member Garcia's second on a 7-0 vote.

9. Approve Fiscal Year 1999-2000 Cultural Arts Services Contracts in the amount of \$2,911,674 (Funding available in the Cultural Arts Fund).

Resolution No. 990913-9 in the amount of \$3,048,057, with direction to the City Manager to review the applications that go before the Arts Commission and report to Council, was approved on Council Member Garcia's motion, Council Member Griffith's second on a 7-0 vote.

ADJOURNED at 3:15 p.m. on Council Member Slusher's motion, Council Member Griffith's second on a 7-0 vote.

The minutes for the Special Called Meeting of September 13, 1999, September 14, 1999 and the minutes for the Regular Meeting of October 7, 1999 were approved on this the 28th day of October, 1999 on Council Member Spelman's motion, Council Member Griffith's second by a 4-0 vote. Council Member Garcia was off the dais. Mayor Pro Tem Goodman and Lewis were absent